

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY Wb D.C.

05 SEP 21 PM 4:15

DIONYSIUS NORFLEET &  
LUTICH IVY,

PLAINTIFF,

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
WD OF TENNESSEE

v.

CIVIL ACTION NO. 05-cv-02452 BD/do

THE CITY OF MEMPHIS,  
OFFICERS Q. BRANCH #10386  
J. SMITH #7046 and other JOHN DOE  
POLICE OFFICERS,

DEFENDANT

ORDER ALLOWING THE FILING OF AMENDED COMPLAINT

Plaintiff has moved, with an abundance of caution, to amend the original complaint.

The Defendant police officers have filed a responsive pleading.

The City of Memphis has not filed a responsive pleading within the meaning of the Federal Rules of Civil Procedure.

The time has not expired for the amendment of pleadings according to the Scheduling order.

There are no new grounds or claims alleged in the Amended Complaint of which the defendants did not have fair notice.

The Court finds that no Defendant will suffer any prejudice by the filing of the Amended Complaint. *The defendants have not responded to the motion, & the time for response has expired.*

This document entered on the docket sheet in compliance with Rule 58 and Fed. R. Civ. P. 79(a) FRCP on 9/24/05

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THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

That Plaintiff be allowed to file the amended complaint heretofore lodged with the Court. The plaintiff shall file the amended complaint within 10 days of date of entry of this order, & serve the amended complaint on the defendants.

*Diane K. Usoro*

**BERNICE B. DONALD**

UNITED STATES DISTRICT JUDGE

DATED: September 21, 2005

*Magistrate Judge*



## Notice of Distribution

This notice confirms a copy of the document docketed as number 11 in case 2:05-CV-02452 was distributed by fax, mail, or direct printing on September 22, 2005 to the parties listed.

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Honorable Bernice Donald  
US DISTRICT COURT